



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

MARY C. WICKHAM
County Counsel

November 15, 2016

TELEPHONE
(213) 974-1930
FACSIMILE
(213) 613-4751
TDD
(213) 633-0901

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

Agenda No. 9
06/28/16

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

#19 OF NOV 15 2016

Lori Glasgow
LORI GLASGOW
EXECUTIVE OFFICER

**Re: PROJECT NO. R2014-00881-(5)
CONDITIONAL USE PERMIT NO. 2014-00037-(5)
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously held a duly-noticed public hearing regarding the conditional use permit for the above-referenced project which authorizes a development program that includes the construction, operation, and maintenance of a new commercial center that includes a restaurant with drive-through services, a 6,000-square-foot retail building, and an accessory storage structure on vacant property located approximately 320 feet southwest of the intersection of Crown Valley Road and Sierra Highway in the unincorporated community of Acton, applied for by Robert Friedman. The project also includes a reduction in the number of trees required to be planted along the street frontage to two 24-inch box trees. Previously, the Regional Planning Commission approved the project without drive-through services.

At the conclusion of the hearing, you indicated your intent to approve the project with drive-through services and instructed our office to prepare findings and conditions.

The Honorable Board of Supervisors
November 15, 2016
Page 2


Enclosed are findings and conditions for your consideration.

Very truly yours,

MARY C. WICKHAM
County Counsel

By 
ELAINE M. LEMKE
Assistant County Counsel

APPROVED AND RELEASED:


THOMAS J. FAUGHNAN
Senior Assistant County Counsel

EML:vn

Enclosures

c: Sachi A. Hamai
Chief Executive Officer

Lori Glasgow, Executive Officer
Board of Supervisors

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NO. R2014-00881-(5)
CONDITIONAL USE PERMIT NO. 2014-00037-(5)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing on June 28, 2016, regarding Project No. R2014-00881-(5), consisting of Conditional Use Permit No. 2014-00037-(5) ("CUP"). The County Regional Planning Commission ("Commission") conducted duly-noticed public hearings regarding the CUP on March 9, 2016 and April 6, 2016.
2. The permittee, Robert Friedman ("permittee"), requests the CUP to authorize construction of a 6,000-square-foot retail building containing three tenant spaces, a 3,300-square-foot restaurant with drive-through services, and a 1,600-square-foot accessory storage building as well as a reduction in the number of required trees within the landscaped setback area ("Project") on a vacant property located approximately 320 feet southwest of the intersection of Crown Valley Road and Sierra Highway in the unincorporated community of Acton ("Project Site") in the C-RU-DP (Rural Commercial-Development Program) Zone.
3. The CUP is required because the Project Site is located in a ()-DP ("Development Program") zone, pursuant to Los Angeles County Code ("County Code") Section 22.40.040, which allows any use permitted in the basic zone (C-RU) if a CUP has been obtained. Pursuant to County Code Section 22.28.390, a CUP is also required for drive-through services in the C-RU Zone.
4. The Project Site is 1.95 acres in size and consists of one legal lot. The Project Site is irregular in shape with gently-sloping topography and is currently vacant land.
5. The Project Site is located in the Acton Community Standards District ("CSD") and the Soledad Zoned District.
6. The Project Site is located within the Rural Commercial ("CR") land use category of the 2015 Antelope Valley Area Plan Land Use Policy Map.
7. Surrounding zoning within a 500-foot radius includes:
 - North: A-1-2 (Light Agricultural – Two Acre Minimum Required Lot Area), C-RU (Rural Commercial), and C-RU-DP;
 - South: A-1-1 (Light Agricultural – One Acre Minimum Required Lot Area) and C-RU;
 - East: C-RU; and
 - West: A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) and C-RU-DP.

8. Surrounding land uses within a 500-foot radius include:
- North: A commercial center, a communication utility site, vacant land, a single-family residence, apartments, a feed and grain sales store, a frame shop, and mobile home sales;
 - South: Antelope Valley Freeway (SR-14) and vacant land;
 - East: Fast-food restaurants and a gas station with mini-market; and
 - West: Vacant land, commercial shops, and a restaurant.
9. The Project Site was rezoned to A-1-10,000 in 1958 and was rezoned again to C-3-DP in 2007. The Project Site was rezoned to C-RU-DP and the land use plan category was changed to Rural Commercial with the adoption of the 2015 Antelope Valley Area Plan and Ordinance No. 2015-0021Z on June 16, 2015.
10. The site plan for the Project depicts the 1.95-acre property with Sierra Highway to the north and the Antelope Valley Freeway to the south. There are two driveways along the northern property line that are accessible from Sierra Highway. There are three proposed buildings depicted on the site: the 3,300-square-foot restaurant and drive-through near the eastern property line, the 6,000-square-foot commercial building adjacent to the western property line, and a 1,600-square-foot storage building in the southwestern corner. The Project includes grading, consisting of 590 cubic yards of cut and 590 cubic yards of fill, as part of the construction activities. The site plan identifies 14,850 square feet of landscaping provided on-site. Customer parking is proposed in front of the retail building as well as to the west of the restaurant. An equestrian hitching post will be located near the northeastern corner of the retail building. Behind the retail building are several additional parking spaces, a loading space, and a trash enclosure. There are several parking spaces, a loading area, and a trash enclosure southwest of the restaurant as well.
11. No bicycle parking is depicted on the previously submitted site plan and the signage depicted on the plans does not comply with the County Code. Additionally, the amount of signage on the restaurant and retail building exceeds the allowable area. Internal illumination is proposed, but the Acton CSD prohibits internal illumination. Lastly, the proposed monument sign exceeds the allowed height and area. Therefore, Project conditions shall require submission of revised plans that depict bicycle parking and signage that meet the development standards listed in the County Code. Conditions shall also require compliance with signage and parking requirements, including bicycle parking, and prohibit signage on the storage building.
12. The grading plan for the Project, which is dated February 19, 2014, provides the estimated grading quantities for the Project, including 590 cubic yards of cut and 590 cubic yards of fill.

13. The Project will provide a total of 65 vehicle parking spaces including 57 standard spaces, four compact spaces, and four handicapped spaces. A hitching post is proposed in front of the retail building. Two short-term bicycle parking spaces and two long-term bicycle parking spaces are required for the Project.
14. Prior to scheduling this case for Commission hearing, the permittee presented the proposed Project to the Acton Town Council ("Town Council"). Prior and subsequent to the Commission hearing, staff from the Department of Regional Planning ("Regional Planning") received comments from the Town Council and several members of the community.
15. In August 2014, the County Department of Parks and Recreation ("Parks and Recreation") contacted Regional Planning staff by email and indicated that they suggested the inclusion of a hitching post for equestrian use as part of the Project. The permittee revised the plans accordingly to provide a hitching post in front of the retail building. The Department of Public Health issued a letter dated February 25, 2015, which included a recommendation of approval for the Project with a list of conditions related to drinking water, wastewater disposal, noise, and food retail facilities requirements. A letter dated September 18, 2015, was submitted by the County Fire Department ("Fire Department") indicating that the Project was cleared for public hearing. The letter from the Fire Department included a list of recommended conditions. Regional Planning staff received a letter from the County Department of Public Works ("Public Works") dated November 23, 2015, which recommended approval of the CUP. The letter contains conditions of approval related to road requirements, drainage, grading, and water supply. The recommended conditions from each department are included in the conditions of approval for the Project.
16. Prior to the Board's public hearing on the Project, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, staff from Regional Planning determined that a Negative Declaration was the appropriate environmental document for the Project because the Initial Study concluded that there was no substantial evidence that the Project would result in a significant impact on the environment.
17. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the Acton Agua Dulce Library.

18. Numerous letters in support and opposing the Project were received along with petitions and emails, likewise supporting or opposing the Project. Additionally, the Town Council submitted two letters with comments on the Project. The first letter was dated October 6, 2014, and included language supporting the Project with the following stipulations: a traffic study should be prepared; no freeway-facing signage should be permitted; the outdoor seating should be removed; no license to sell alcohol should be permitted on the site; the contact information for the permittee should be provided to the Town Council; and, a hitching post should be included in the design. On October 22, 2014, a second letter was submitted by the Town Council which amended the comments of the original letter to state that they continued to support the Project with the exception of the proposed drive-through.
19. A duly-noticed public hearing was held on March 9, 2016 before the Commission. The public hearing was continued to April 6, 2016 on the recommendation of Regional Planning staff to provide the permittee with sufficient time to submit additional materials. Prior to the continued April 6, 2016 public hearing, Paul Zerounian, the owner of four Primo Burger restaurants—the restaurant proposed for the Project Site—provided the average daily transaction counts for his existing restaurants that have a drive-through. Parks and Recreation also submitted a response dated March 31, 2016, that addressed concerns related to the location of the Darrell Readmond Trail stating that "Parks and Recreation has no authority to require a trail easement on the south side of Sierra Highway." The Association of Rural Town Councils also submitted a letter prior to the hearing that mirrored the concerns of the Town Council. Lastly, the Traffic and Lighting Division of the Public Works provided a response related to traffic concerns, dated April 5, 2016, concluding that "there is no nexus to require a traffic signal warrant analysis" and that "the Project is not expected to have a significant transportation impact at the two intersections in accordance with the County's Traffic Impact Analysis Report Guidelines." This information was provided to the Commission.
20. At the continued April 6, 2016 Commission public hearing, Regional Planning staff made a presentation on the Project, which was followed by public testimony. Seventeen people spoke at the hearing and provided testimony in favor of and in opposition to the Project, as originally proposed. Primo Burger owner Mr. Zerounian and the Project architect testified regarding outreach to the Town Council and community and that the Project was designed based on input received therefrom. Another applicant representative presented further information on extensive outreach to the community and stated that most people contacted indicated support for the Project, including the drive-through.
21. Members of the Town Council also testified at the Commission hearing, clarifying that they would support the Project if the conditions set forth in their first letter were met, stated that they believed said conditions had not been met, and they continued to have concerns regarding traffic. Other concerns highlighted include the lack of a trail easement on the south side of Sierra Highway and the incorrect

signage depicted on the plans. One Town Council member stated that their outreach revealed opposition to drive-through services in the area.

22. Project supporters at the Commission hearing included several people connected with the current hay and feed store that plans to relocate to the Project Site, as well as other community members. Project proponents stated that Primo Burger is a family-owned business that provides "cook-to-order" food from a menu of over 80 items. Testifiers stated that they didn't consider Primo Burger to be a fast-food restaurant because, among other factors, the wait time in the drive-through is approximately 10 to 12 minutes. Members of the local community stated that they are willing to wait in line for healthier options and like the convenience that the drive-through offers to those transporting children and/or animals. In response to an inquiry from the Commission, Mr. Zerounian stated that, while the drive-through accounts for only about 20 percent of the restaurant's revenue, it would be very difficult to move forward with the Project without it.
23. After other questions about the drive-through from the Commission and confirmation from Public Works that the traffic study included the assumption that the restaurant would have a drive-through and that the trip generation calculations did not differentiate between local fast-food restaurants from a high-volume of a nationally-known restaurant with a drive-through, the Commission approved the CUP without drive-through services. The permittee timely appealed that decision to the Board.
24. The Board's duly-noticed public hearing on the Project was held on June 28, 2016. Regional Planning staff made a brief presentation regarding the Project and, in response to Board inquiries, explained that a conditional use permit is required for the Project due to the zoning requirements related to proposed drive-through facilities. Staff advised that drive-through facilities are not prohibited by the Antelope Valley Area Plan ("AV Area Plan"), only discouraged. A Public Works engineer testified regarding the traffic study, indicating that the Project, including the drive-through, would not significantly impact County roads or intersections in the Project area, so long as the uses allowed at the Project Site are among those uses analyzed in the traffic study. Following staff remarks, two representatives of the permittee testified regarding outreach to the community and the Acton Town Council, the traffic study, the need for the drive-through to allow them to compete with nearby restaurants, and the design of the proposed restaurant, including its western motif.
25. Approximately 50 other people testified at the Board hearing regarding the Project. Twenty-nine of those testified in support of the Project, including the drive-through, while 16 people opposed the drive-through, and three people were unclear as to whether they supported or opposed the Project. Issues covered in the public testimony at the Board were similar to the issues raised at the Commission hearing. Topics included whether the restaurant with a drive-through is geared towards serving the nearby community or those in transit on

the adjacent highway. Also discussed was encouraging development of businesses in the area, traffic issues including pedestrian safety, and that, if approved, the Project should be limited to the uses considered in the traffic study.

26. The CR land use category of the AV Area Plan allows for "limited, low-intensity commercial uses that are compatible with rural and agricultural activities, including retail, restaurants, and personal and professional offices." The Project is proposed to contain a feed store, a restaurant, and two other retail uses. The feed store will provide agricultural-related products to the surrounding rural community, and both the restaurant and retail uses are included and specifically identified as compatible uses within the CR land use category. The AV Area Plan prohibits "high-intensity regional commercial uses" within this area of Acton. However, the Project with a restaurant and retail uses is not considered to be high-intensity or a regional use. Based on the Traffic Impact Study dated January 20, 2015, Public Works concurred that the traffic generated by this Project including the restaurant with a drive-through, as well as cumulatively with other related projects, will not have a significant transportation impact to County roadways or intersections in the area. In addition, even though it includes a drive-through, the proposed restaurant is intended to serve the local community. The Board concludes that the majority of restaurant customers exiting the adjacent freeway would otherwise be exiting and such a local restaurant is not expected to draw substantial traffic from the freeway. The Board, therefore, finds that the Project with restaurant and retail uses is consistent with the applicable policies of the AV Area Plan and with said plan's CR land use category.
27. Restaurants, retail stores, and feed and grain sales are permitted uses in the C-RU Zone pursuant to Section 22.28.360 of the County Code. According to Section 22.28.390 of the County Code, drive-through services are permitted in the C-RU-DP Zone with the approval of a CUP. Accessory uses, such as storage buildings, are permitted in the C-RU Zone pursuant to Section 22.28.370. Lastly, property in a ()-DP Zone may be used for any use permitted in the basic zone, pursuant to County Code Section 22.40.040. As such, the Board finds that the Project is consistent with the C-RU-DP zoning classification.
28. The traffic study prepared regarding the retail portion of the Project used trip generation rates for a "Specialty Retail Center" set forth in the Institute of Traffic Engineers Trip Generation Manual ("ITE Manual"). Certain uses identified in County Code Section 22.28.360 as allowable uses in the C-RU Zone do not have specific trip generation rates in the ITE Manual, and thus would fall within a use analyzed under a Specialty Retail Center. For such uses, no further traffic analysis would be required if that type of retail business were to open in the retail portion of the Project Site. The Project conditions shall identify such by-right uses which shall be allowed at the Project Site without further analysis.

29. Other uses listed in County Code Section 22.28.360 as allowed in the C-RU Zone, however, do have specific trip generation rates listed in the ITE Manual. As such, traffic associated with those types of uses would not have been covered by the traffic study prepared for the Project. Based on the foregoing, Project conditions will restrict the uses on the property to a restaurant, a commercial building containing retail uses that are both permitted in the C-RU Zone and identified as a Specialty Retail Use by the ITE Manual, and an accessory storage building. Changes to the uses on the Project Site that include retail businesses permitted in the C-RU Zone, but which uses have trip generation rates specified in the ITE Manual, shall require both an updated traffic impact study for review by Public Works and a new CUP.
30. The Project, as conditioned, will comply with all the development standards that apply to properties in the C-RU Zone, as listed in County Code Section 22.28.400, with the exception of the requirement to plant one 24-inch box tree for every 20 linear feet of street frontage for the parking setback areas. The Board finds that this requirement should be reduced in light of the current water shortage issue in southern California, particularly in the Antelope Valley. The Board finds that two 24-inch box trees, as depicted on the landscaping plan, are sufficient within the front setback area because there are other proposed trees within the parking areas and the rear of the Project Site.
31. The Project will be conditioned so that the proposed buildings and signage will include design elements that are of the "Western frontier village, circa 1890s style." The buildings will not exceed a height of 35 feet and the total impervious surface area will not exceed 90 percent. The fencing, signage, and outdoor lighting will be designed to comply with the standards listed in the CSD. Accordingly, the Board finds that Project is consistent with the applicable development standards of the Acton CSD in Section 22.44.126.C of the County Code.
32. The Project is located within a Rural Outdoor Lighting District. As such, the Project will be required to comply with said District's requirements, which are designed to avoid excessively bright lighting and to protect surrounding properties from light trespass, thus preserving the dark skies in rural communities. Light fixtures may not exceed 30 feet in height, any light fixtures located more than 15 feet above grade may not exceed 400 lumens, and all outdoor lighting must be fully shielded to prevent any unacceptable light trespass. The applicable lighting standards are found in County Code Sections 22.44.500 through 22.44.590.
33. There are several existing restaurants and other commercial centers within the vicinity of the Project Site. The building is designed to conform to the Acton CSD architectural style guidelines, and the Project will comply with the CSD requirements. The Project Site is immediately adjacent to other commercial uses, and the proposed use will not substantially change the character of the area. Thus, the Board concludes the Project is suitable for the area. Based on

the foregoing, the Board finds that the Project will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare.

34. The Project Site is adequate in size to accommodate the parking spaces required for the use. Based on the proposed development, a total of 58 vehicle parking spaces are required and 65 are provided. Bicycle parking as required by the County Code will be required in the Project's conditions. The site plan depicts 14,850 square feet of landscaping on-site which exceeds the minimum requirement of 10 percent. Based on the foregoing, the Board finds that the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features as are required in order to integrate the Project into the surrounding area.
35. The Project Site is accessible from Sierra Highway via two driveways located along the northern property line. Sierra Highway is classified as an existing Major Highway within the 2015 Master Plan of Highways and is a proposed Class III Bike Path according to the 2012 Bicycle Master Plan. The northern side of Sierra Highway is identified as part of the proposed County Trail System. Furthermore, a Traffic Impact Study was completed for the Project and was reviewed by the Traffic and Lighting Division of Public Works. According to the Traffic Impact Study, the traffic generated by the Project alone, as well as cumulatively with other related projects, will not have a significant transportation impact to County roadways or intersections in the area, based on the Traffic Impact Analysis Guidelines. Based on the foregoing, the Board finds that the Project Site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
36. The Board finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.
37. After consideration of the Negative Declaration, together with the comments received during the public review process, the Board previously found on the basis of the whole record before it that there is no substantial evidence that the Project will have a significant effect on the environment, and further found that the Negative Declaration reflects the independent judgment and analysis of the Board.

38. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE BOARD OF SUPERVISORS:

- 1. Certifies that the Negative Declaration for the Project was completed in compliance with CEQA and the State and County Guidelines related thereto; certified that it independently reviewed and considered the Negative Declaration and that the Negative Declaration reflects the independent judgment and analysis of the Board as to the environmental consequences of the Project; determined that on the basis of the whole record before the Board that there is no substantial evidence that the Project will have a significant effect on the environment; and adopted the Negative Declaration; and
- 2. Approves Conditional Use Permit No. 2014-00037-(5), subject to the attached conditions.

**CONDITIONS OF APPROVAL
PROJECT NO. R2014-00881-(5)
CONDITIONAL USE PERMIT NO. 2014-00037-(5)**

1. The permit grants the construction of a retail center including a 6,000-square-foot retail building, a 3,300-square-foot restaurant with a drive-through, and a 1,600-square-foot accessory storage building. This permit also includes a reduction in the required tree planting due to the current drought conditions of the area. The project is subject to the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 10, and until a new Will Serve Letter has been issued or a time extension has been granted as required by Condition No. 23. Notwithstanding the foregoing, this Condition No. 3 and Condition Nos. 5, 6, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
4. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the Los Angeles County Code ("County Code").
5. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

- a. If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.
7. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void, and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of \$400. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for two (2) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Within five working days from the date of final approval, the permittee shall remit processing fees to the Recorder, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination ("NOD") for this project and its entitlements in compliance with section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in section 711.4 of the Fish and Game Code, currently \$2,285.25 (\$2,210.25 for a Negative Declaration or Mitigated Negative Declaration plus \$75 processing fee). No land use project subject to this requirement is final, vested, or operative until the fee is paid.
12. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
13. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
14. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("Public Works") to the satisfaction of said department.
15. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director"). These requirements include compliance with the relevant provisions of the Action Community Standards District ("CSD"), which includes, but is not limited to, building height limits of 35 feet, except for chimneys and pole antennas, which may not exceed 45 feet, compliance with Western frontier village architectural style guidelines, limitations on impervious finished surface areas to 90 percent or less of the subject property, and, sign design, lighting and locational requirements. Permittee shall

comply with fence requirements set forth in the County Code generally and in the CSD.

16. The permittee shall comply with lighting requirements of the CSD as well as the Rural Outdoor Light District standards in County Code Sections 22.44.500 through 22.44.590, including but not limited to the following: light fixtures may not exceed 30 feet in height; any light fixtures that are more than 15 feet above grade shall be limited to 400 lumens or less; and, all outdoor lighting shall be shielded to prevent any unacceptable light trespass.
17. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
18. All structures, walls, and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

19. The subject property shall be developed and maintained in substantial conformance with approved plans marked Exhibit "A." Three copies of a modified Exhibit "A," however, shall be submitted to Regional Planning within 90 days from the date of final approval, because the plans that were presented at the public hearing do not depict the required bicycle parking spaces and incorrectly depict the signage. The modified Exhibit "A" must include the required bicycle spaces and depict signage that complies with the County Code.
20. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit three copies of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A." All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
21. This grant shall authorize a new development program that restricts the development on the subject property to the construction, operation, and maintenance of a new commercial center that includes one new restaurant with a drive-through, a 6,000-square-foot building containing certain retail uses that are permitted in the C-RU (Rural Commercial) Zone as identified in Condition No. 26,

and an accessory storage building, as depicted on the Exhibit "A." This grant also authorizes a reduction in the number of trees required to be planted along the street frontage to two 24-inch box trees, as depicted on the Exhibit "A."

22. Pursuant to County Code Section 22.40.070: (1) only buildings identified by the development program shall be built, erected, or moved onto the Project Site, except for a temporary structure used only in developing the property; (2) no existing building or structure which is scheduled to be demolished under the program shall be used; (3) no existing building or structure which, under the development program, is scheduled to be altered shall be used until such alterations are complete; (4) all improvements shall be completed prior to occupancy of any structures; and (5) where one or more buildings in the development are designated as primary buildings, building permits for other structures shall not be issued until the foundations have been constructed for such primary building or buildings.
23. Prior to construction of the retail center, the permittee shall obtain a current "Will Serve" letter and/or time extension for the project from Public Works on behalf of County Waterworks District No. 37.
24. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of one space for every 250 square feet of gross floor area used for the commercial buildings. The permittee shall provide parking for the restaurant as required by the County Code, calculated at a parking ratio of one space for each three occupants, based on the occupancy load determination by the County engineer. The commercial building and storage structure have a total area of 7,600 square feet, which would require not less than 30 spaces be provided, based on the applicable ratio. The restaurant received an occupancy load determination of 84 from Public Works. Therefore, 28 parking spaces are required for the restaurant use, and the total number of required parking spaces for the project site is 58, based on the current proposal.
25. The permittee shall provide bicycle parking as required by the County Code, calculated at a parking ratio of one short-term bicycle parking space for each 5,000 square feet of gross floor area, with a minimum of two spaces and one long-term bicycle parking space for each 12,000 square feet of gross floor area with a minimum of two spaces. The commercial buildings have a total square footage of 10,900 square feet which would require not less than two short-term bicycle parking spaces and two long-term spaces.
26. Based on the traffic study prepared for the project, in addition to the restaurant with a drive-through facility, the following uses identified in County Code Section 22.28.360 may be located in the 6,000-square-foot retail building without further traffic analysis or development permits, other than building permits: antique shops, genuine antiques only; art galleries; bait and tackle shops; bicycle shops; ceramic shops, excluding a kiln or manufacture; confectionary or candy stores, including making only when incidental to retail sales from the premises;

feed and grain sales; firewood, sale of, including the incidental cutting of firewood to size; florist shops; furrier shops; gift shops; ice sales, excluding ice plants; jewelry stores; lapidary shops; leather goods stores; millinery shops; music stores; newsstands; notion or novelty stores; photographic equipment and supply stores; secondhand stores; shoe stores; silver shops; souvenir shops; tobacco shops; and, yarn and yardage stores.

27. Numerous uses listed in County Code Section 22.28.360 as by-right have specific trip generation rates for such a use listed in the Institute of Transportation Engineers Trip Generation Manual. The traffic study prepared for the project did not analyze such uses because the study relied upon trip generation rates attributed to Specialty Retail Centers, rather than the specific use. Accordingly, if any use that has its own trip generator rate is subsequently proposed for the 6,000 square-foot retail portion of the subject property, an update to the traffic study will be required and an additional conditional use permit obtained to allow said use. These uses include: appliance stores, household; automobile sales, sale of new and used motor vehicles, including incidental washing subject to the applicable provisions of County Code Section 22.28.370; automobile supply stores, including incidental installation of parts, subject to the applicable provisions of County Code subsection B of Section 22.28.370; bakery shops, including baking only when incidental to retail sales from the premises; boat and other marine sales; bookstores; clothing stores; delicatessens; dress shops; drugstores; farm equipment, storage, sales, and rental; fruit and vegetable markets; furniture stores; glass and mirror sales, including automobile glass installation only when conducted within an enclosed building; grocery stores; hardware stores, including the sale of lumber and other building materials and supplies, but excluding milling or woodworking other than incidental cutting of lumber to size; health food stores; hobby supply stores; ice cream shops; meat markets, excluding slaughtering; mobilehome sales; motorcycle, motorscooter, and trail bike sales; office machines and equipment sales; paint and wallpaper stores; pet supply stores, excluding the sale of pets other than tropical fish or goldfish; radio and television stores; recreational vehicle sales; sporting goods stores; stationery stores; and, toy stores.
28. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated February 25, 2015.
29. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated September 18, 2015.
30. The permittee shall comply with all conditions set forth in the attached Public Works Department letter dated November 23, 2015.

Attachments:

Public Health Department Letter dated February 25, 2015

Fire Department Letter dated September 18, 2015

Public Works Department Letter dated November 23, 2015



CYNTHIA A. HARDING, M.P.H.
Interim Director

JEFFREY D. GUNZENHAUSER, M.D., M.P.H.
Interim Health Officer

ANGELO J. BELLOMO, REHS, QEP
Director of Environmental Health

TERRI S. WILLIAMS, REHS
Assistant Director of Environmental Health

5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5100 • FAX (626) 813-3000

www.publichealth.lacounty.gov



BOARD OF SUPERVISORS

Hilda Solis
First District

Mark Ridley-Thomas
Second District

Sheila Kuehl
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

February 25, 2015

TO: Thuy Hua, AICP
Senior Regional Planner
Department of Regional Planning

FROM: Michelle Tsiebos, REHS, DPA **M.T.**
Environmental Health Division
Department of Public Health

SUBJECT: CUP CONSULTATION
PROJECT NO. R2014-00881/ RCUP 201400037
Acton Feed Store and Primo Restaurant
Crown Valley & Sierra Hwy, Acton

- ☒ Public Health recommends approval of this CUP.
☐ Public Health does **NOT** recommend approval of this CUP.

The Department of Public Health has reviewed the information provided for the project identified above. The CUP is for the proposed construction of a 6,000 SF retail feed store and a 3,084 SF restaurant with drive-thru in Acton. The Department clears the project, and recommends approval of the CUP contingent upon the observance of the conditions stated below following public hearing.

Potable Water Supply

The Drinking Water Program recommends approval of this CUP.

The project will be served by a public water system (Los Angeles County Waterworks District No. 37). The applicant has submitted a current will serve letter from the water purveyor to this Department to ensure the availability of a potable water supply for the project.

For questions regarding the above requirement, please contact Lusi Mkhitarian or Epifanio Braganza at (626) 430-5420 or at lmkhitarian@ph.lacounty.gov and ebraganza@ph.lacounty.gov.

Wastewater Disposal

The Land Use Program recommends approval of this CUP contingent upon the following condition:

Based on the review of the proposed project's Feasibility Report submitted, the percolation test results indicate that a non-conventional system is to be installed due to the percolation rates which are greater than 5.12 gallons/square feet /day. A design for a non-conventional septic system has been submitted based on the manufactures recommendations. At this time the Program recommends conditional approval of the CUP. The Program has not received a copy of the report from the Regional Water Quality Control Board. **The approval of the Regional Water Quality Control Board must be received prior to the issuance of a building permit for the finalization of the Land Use Program's approval of an Onsite Wastewater Treatment System (OWTS) installation.**

Notes:

- A. The design and installation of OWTS shall conform to the requirements of this Department and other applicable regulatory agencies. The applicant shall contact the Los Angeles Regional Water Quality Control Board and file necessary document for Waste Discharge Requirement permit in order to obtain authorization before proceeding with this project.
- B. **Note:** The required size and capacity of the proposed OWTS shall be determined based on the factors including fixture unit count, number of employees, the type of food facilities and number of customers and meals served in each room, number of parking spaces, restrooms, etc., either individually or in combination of one, two or more factors, whichever method results in the largest system capacity and in accordance with Table K-2 and K-3 of Appendix K of the Plumbing Code and requirements established in the Department's guidelines.
- C. If a public sewer connection is available within 200 feet of any part of the proposed building or exterior drainage, all future drainage and piping shall be connected to such public sewer.

For question regarding the above section, please contact Eric Edwards or Vicente Banada at (626) 430-5380 or at eedwards@ph.lacounty.gov and vbanada@ph.lacounty.gov.

Noise

The applicant shall adhere to the requirements of the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code, Title 12.

For question regarding the above section, please contact Evenor Masis or Robert Vasquez at (213) 738-3220 or at emasis@ph.lacounty.gov and rvasquez@ph.lacounty.gov.

Food Retail Facilities

The applicant shall comply with all the Department of Public Health requirements relating to the construction and operation of food establishments. Three sets of construction plans for the proposed food establishment shall be submitted to the Department's Plan Check Program for review and approval prior to issuance of any building permits. The proposed food establishment must be issued a Public Health Permit to operate by this Department after construction.

For questions regarding the above section, please contact the Plan Check Program at (626) 430-5560.

For any other questions regarding this report, please contact me at (626) 430-5382 or at mtsiebos@ph.lacounty.gov.



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-00881

MAP DATE: February 2, 2015

LOCATION: Sierra Highway, West of Crown Valley Road, Acton

PLANNER: Thuy Hua

REVISED CONDITIONS: Supersedes Fire Dept. Comments Dated 02/06/2015

**THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO
PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE
FOLLOWING CONDITIONS OF APPROVAL.**

CONDITIONS OF APPROVAL – ACCESS

1. All on-site Fire Department vehicular access roads shall be labeled as "Private Driveway and Fire Lane" on the site plan along with the widths clearly depicted on the plan. Labeling is necessary to assure the access availability for Fire Department use. The designation allows for appropriate signage prohibiting parking.
2. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4
3. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.
4. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.
5. Provide a minimum unobstructed width of 26 feet, exclusive of shoulders and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.2
6. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1
7. Fire Department vehicular access roads shall be provided with a 32 foot centerline turning radius. Fire Code 503.2.4

Reviewed by: Wally Collins

Date: September 18, 2015



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-00881

MAP DATE: February 2, 2015

LOCATION: Sierra Highway, West of Crown Valley Road, Acton

PLANNER: Thuy Hua

8. Provide approved signs or other approved notices or markings that include the words "NO PARKING - FIRE LANE". Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof and at intervals, as required by the Fire Inspector. Fire Code 503.3
9. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1
10. Security barriers, visual screen barriers or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5
11. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1
12. An approved key box, listed in accordance with UL 1037 shall be provided as required by Fire Code 506. The location of each key box shall be determined by the Fire Inspector.
 - All locking devices shall comply with the County of Los Angeles Fire Department Regulation 5, Compliance for Installation of Emergency Access Devices.



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-00881 MAP DATE: February 2, 2015
LOCATION: Sierra Highway, West of Crown Valley Road, Acton
PLANNER: Thuy Hua

13. Gates: When security gates are provided, maintain a minimum access width of 26 feet. The security gate shall be provided with an approved means of emergency operation, and shall be maintained operational at all times and replaced or repaired when defective. Gates shall be of the swinging or sliding type. Construction of gates shall be of materials that allow manual operation by one person. Fire Code 503.6

CONDITIONS OF APPROVAL – WATER STSTEM

1. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
2. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4
3. The required fire flow for the public fire hydrants for this project is 2000 gpm at 20 psi residual pressure for 2 hours. Two (2) public fire hydrants flowing simultaneously may be used to achieve the required fire flow. Fire Code 507.3 & Appendix B105.1
 - a. The fire flow test for the two (2) existing public fire hydrants noted on the site plan is adequate per the fire flow test dated 02/24/15 by the Los Angeles County Waterworks District.



Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-00881

MAP DATE: February 2, 2015

LOCATION: Sierra Highway, West of Crown Valley Road, Acton

PLANNER: Thuy Hua

CONDITIONS OF APPROVAL – FUEL MODIFICATION

1. This property is located within the area described by the Fire Department as the Very High Fire Hazard Severity Zone. A "Preliminary Fuel Modification Plan" shall be submitted and approved prior to public hearing. For details, please contact the Department's Fuel Modification Unit which is located at Fire Station 32, 605 North Angeleno Avenue in the City of Azusa CA 91702-2904. They may be reached at (626) 969-5205.
 - a. The Final Fuel Modification Plan was approved by the Fuel Modification Unit on 06/01/15.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

November 23, 2015

IN REPLY PLEASE
REFER TO FILE LD-2

TO: Robert Glaser
Zoning Permits North Section
Department of Regional Planning

Attention Kristina Kulczycki

FROM: Art Vander Vis
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201400037
PROJECT NO. R2014-00881-(5)
ACTON FEED STORE AND PRIMO RESTAURANT
ASSESSOR'S MAP BOOK NO. 3217, PAGE 21, PARCEL NO. 22
UNINCORPORATED COUNTY COMMUNITY OF ACTON

Thank you for the opportunity to review the site plan and zoning permit application for the project located on Assessor's Parcel Number 3217-021-022 in the unincorporated County community of Acton. The applicant is requesting authorization for a CUP to allow the construction of a 6,000-square-foot retail feed store, a 3,300-square-foot restaurant with a drive-thru, and a 1,600-square-foot storage building.

- ☒ Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- ☐ Public Works has comments on the submitted documents; therefore, a Public Hearing shall NOT be scheduled until the following comments have been addressed:

Road

1. Construct both driveways along the property frontage on Sierra Highway to comply with the Americans with Disabilities Act guidelines and to the satisfaction of Public Works. Please note this will require the driveways to be depressed at the back of the walk. Relocate any affected utilities including the existing street light located on the westerly property line.

2. Submit and obtain approval of street lighting plans that show the proposed relocation of the existing street light located on the westerly property line (if affected by the construction of the proposed westerly driveway) by Public Works' Traffic and Lighting Division, Street Lighting Section. The street lighting plans shall show all existing and proposed street lights along the property frontage and be accompanied by plans that show all existing and/or proposed underground utilities.
3. Provide and continuously maintain adequate sight distance (10 feet minimum) from all proposed driveways to the back of the sidewalk to the satisfaction of Public Works. This means there cannot be any obstructions, such as landscaping, above 3.5 feet in height within a 10-foot sight triangle.
4. Comply with all of the requirements listed in the attached Traffic and Lighting Division letter dated October 22, 2105.
5. Submit a detailed signing and striping plan (scale: 1"=40') showing the westerly extension of the existing two-way, left-turn lane, on Sierra Highway near the project's proposed westerly driveway, for review and approval prior to obtaining a grading permit. The proposed striping transition shown on the site plan is not necessarily approved.
6. Provide an adequate pavement transition on the northern side of Sierra Highway to accommodate the extension of the existing two-way, left-turn lane, near the project's proposed westerly driveway, to the satisfaction of Public Works. Although the pavement transition will be located entirely within the existing public right of way, additional off-site grading within the properties, on the north side of Sierra Highway, may be necessary to adequately tie the grades within the parkway area to the new edge of pavement. It shall be the sole responsibility of the applicant to obtain any necessary off-site covenants/permissions from the affected property owners. The proposed pavement transition shown on the site plan is not necessarily approved.
7. Submit street improvement plans and acquire street plan approval before obtaining a grading permit.
8. Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the road conditions, please contact Matthew Dubiel of Public Works' Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

Drainage/Grading

1. Submit a drainage and grading plan for review and approval that complies with the approved hydrology study dated October 15, 2015 (or the latest revision), to the satisfaction of Public Works. The drainage and grading plans must provide for the proper distribution of drainage and for contributory drainage from adjoining properties by eliminating sheet overflow, ponding, and high-velocity scouring action. The plans need to call out the construction of at least all drainage devices and details and paved driveways; elevation of all pads, water quality devices, Low-Impact Development (LID) features; and existing easements. Additionally, the applicant is required to obtain the necessary easement holder's approval for the proposed work.
2. Comply with all National Pollutant Discharge Elimination System, Storm Water Management Plan, and Water Quality requirements.
3. Per County Code Section 12.84.440, comply with LID standards in accordance with the LID Standards Manual, which can be found at <http://dpw.lacounty.gov/ldd/lib/fp/Hydrology/Low%20Impact%20Development%20Standards%20Manual.pdf>.
4. Comply with the approved hydrology study dated October 15, 2015 (or latest revision), for the design of all drainage facilities to the satisfaction of Public Works.
5. Provide a maintenance agreement/covenant for any privately maintained drainage devices.
6. Obtain soil/geology approval of the drainage/grading plan from Public Works' Geotechnical and Materials Engineering Division.
7. Provide permits and/or letters of nonjurisdiction from all applicable State and Federal agencies. These agencies may include, but may not be limited to, the State of California Regional Water Quality Control Board; State of California Department of Fish and Wildlife; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and the Army Corps of Engineers.

For questions regarding the drainage/grading condition, please contact Diego Rivera of Public Works' Land Development Division at (626) 458-4921 or drivera@dpw.lacounty.gov.

Robert Glaser
November 23, 2015
Page 4

Water Supply

1. Comply with all of the requirements stipulated by the local water purveyor. The attached Will Serve letter issued by Waterworks District No. 37 will expire on February 25, 2016. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding the water supply condition, please contact Toni Khalkhali of Public Works' Land Development Division at (626) 458-4921 or tkhalkh@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Matthew Dubiel of Public Works' Land Development Division at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

MD:tb

P:\dpub\SUBPCHECK\Plan\CUP\CUP 201400037\TCUP 201400037\2015-10-26 TCUP 201400037 SUBMITTAL\2015-11-12_CUP 201400037.docx



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: T-4

October 22, 2015

Mr. Robert Kilpatrick
Hall & Foreman
Suite 101
14297 Cajon Avenue
Victorville, CA 92392-2335

Dear Mr. Kilpatrick:

**ACTON RETAIL CENTER PROJECT
CONDITIONAL USE PERMIT 201400037
TRAFFIC IMPACT STUDY – AUGUST 4, 2015
UNINCORPORATED ACTON AREA**

We reviewed the Traffic Impact Study (TIS) for the proposed Acton Retail Center project to be located on the south side of Sierra Highway approximately 500 feet west of Crown Valley Road in the unincorporated Acton area. The proposed project consists of a feed store and a drive-through restaurant.

According to the TIS, the traffic generated by the project alone, as well as cumulatively with other related projects, will not have a significant transportation impact to County roadways or intersections in the area based on the Traffic Impact Analysis Guidelines. We generally agree with the findings in the TIS.

According to the TIS, the existing two-way left-turn lane on Sierra Highway would need to be extended westerly to accommodate left-turn movements at the project's west driveway. We concur with this improvement. Accordingly, the project applicant shall submit detailed signing and striping plans to Public Works for review and approval.


We recommend the applicant consult with the State of California Department of Transportation to obtain concurrence with any potential California Environmental Quality Act impacts within its jurisdiction.

Ms. Robert Kilpatrick
October 22, 2015
Page 2

If you have any questions regarding the review of this document, please contact Mr. Kent Tsujii of Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4776.

Very truly yours,

GAIL FARBER
Director of Public Works

A handwritten signature in black ink, appearing to read 'Dean R. Lehman', written over a horizontal line.

DEAN R. LEHMAN
Assistant Deputy Director
Traffic and Lighting Division

SR:mrh
P:\TLPUB\STUDIES\15-0133 - ACTON RETAIL CENTER.DOC

bc: Land Development (Narag)

LOS ANGELES COUNTY WATERWORKS DISTRICTS

P.O. Box 1460
Alhambra, CA 91802
(626) 300-3306

260 E Ave K-8
Lancaster, CA 93535
(661) 940-9270

23533 Civic Center Way
Malibu, CA 90265
(310) 317-1388

TO:

☒ Los Angeles County
Department of Health Services
Environmental Health: Mtn & Rural/
Water, Sewage, & Subdivision Program
5050 Commerce Dr
Baldwin Park, CA 91706-1423

☒ Los Angeles County
Department of Public Works
Building & Safety Division

☒ Los Angeles County
Department of
Regional Planning

☐ City of Lancaster
Building Department
44933 N Fern Ave
Lancaster, CA 93534

☐ City of Malibu
Building Department
23815 W Stuart Ranch Rd
Malibu, CA 90265

☐ City of Palmdale
Building Department
38300 N Sierra Hwy
Palmdale, CA 93550

RE: 3910 W Sierra Hwy (CUP R2014-00881)

Acton

93510

Address

City

Zip

3217-021-022

PM 21321

1

Assessor's Parcel Number

Tract / Parcel Map

Lot

Los Angeles County Waterworks District No. 37 will serve water to the above single lot property subject to the following conditions:

| | |
|-------------------------------------|--|
| <input type="checkbox"/> | Annexation of the property into Los Angeles County Waterworks Districts is required. Water service to this property will not be issued until the annexation is complete. |
| <input checked="" type="checkbox"/> | The appropriate connection fees have NOT been paid to Waterworks Districts. |
| <input type="checkbox"/> | The appropriate connection fees have been paid to Waterworks Districts. |
| <input type="checkbox"/> | Water system improvements will be required to be installed by the developer subject to the requirements set by the Fire Department and the Waterworks Districts. |
| <input checked="" type="checkbox"/> | The service connection and water meter serving the property must be installed in accordance with Waterworks Districts' standards. |
| <input type="checkbox"/> | The property has an existing service connection and water meter. |
| <input checked="" type="checkbox"/> | Public water system and sewage disposal system must be in compliance with Health Department separation requirements. |
| <input checked="" type="checkbox"/> | A portion of the existing fronting watermain may be required to be replaced if the water service tap cannot be made or if damage occurs to the watermain. |
| <input type="checkbox"/> | Property may experience low water pressure and/or shortages in high demand periods. |
| <input type="checkbox"/> | The Waterworks Districts CANNOT serve water to this property at this time. |

BY:



Associate Civil Engineer

Signature

Title

Sheila Niebla

(661) 940-9270

02/25/2015

Print Name

Phone Number

Date

*** THIS WILL SERVE LETTER WILL EXPIRE ONE (1) YEAR AFTER THE DATE OF ISSUANCE.**

201037037a



FORM 196
Rev. 04/03

**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Fire Prevention Engineering
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4125 Fax (323) 890-4129

Information on Fire Flow Availability for Building Permit

For All Buildings Other Than Single Family Dwellings (R-3)

INSTRUCTIONS:

Complete parts I, II (A) when:

Verifying fire flow, fire hydrant location and fire hydrant size.

Complete parts I, II (A), & II (B) when:

For buildings equipped with fire sprinkler systems, and/or private on-site fire hydrants.

**PROJECT INFORMATION
(To Be Completed By Applicant)**

PART I

Building Address: 3910 W Sierra Hwy (APN 3217-021-022)

City or Area: Acton, CA 93510

Nearest Cross Street: Crown Valley Rd

Distance of Nearest Cross Street: 200'

Applicant: Robert Friedman Telephone: (626) 484-5251

Address: 2059 E Foothill Blvd

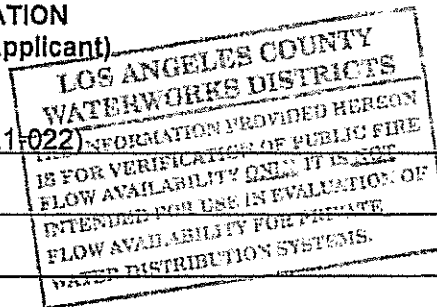
City: Pasadena, CA 91107

Occupancy (Use of Building): B A3 Sprinklered: Yes ☒ No ☐

Type of Construction: V

Square Footage: 6000 + 3300 Number of Stories: 1

Present Zoning: C-3



Applicant's Signature

Date

PART II-A

INFORMATION ON FIRE FLOW AVAILABILITY (To be completed by Water Purveyor)

 Location South side of Sierra Hwy, 372 ft west of Crown Valley Rd

Distance from _____ Hydrant Number --
 Nearest Property Line 41' Size of Hydrant 6x4x2-1/2" Size of Water main 12"
 Static PSI 210 Residual PSI 107 Orifice size -- Pitot --
 Fire Flow at 20 PSI 2000 gpm Duration 2 hrs Flow Test Date / Time --

 Location South side of Sierra Hwy, 647 ft west of Crown Valley Rd

Distance from _____ Hydrant Number --
 Nearest Property Line 97' Size of Hydrant _____ Size of Water main 12"
 Static PSI 210 Residual PSI 107 Orifice size -- Pitot --
 Fire Flow at 20 PSI 2000 gpm Duration 2 hrs Flow Test Date / Time --

Location _____
 Distance from _____ Hydrant Number _____
 Nearest Property Line _____ Size of Hydrant _____ Size of Water main _____
 Static PSI _____ Residual PSI _____ Orifice size _____ Pitot _____
 Fire Flow at 20 PSI _____ Duration _____ Flow Test Date / Time _____

PART II-B

SPRINKLERED BUILDINGS/PRIVATE FIRE HYDRANTS ONLY

 Detector Location (check one) ☒ Above Grade ☐ Below Grade ☐ Either

 Backflow Protection Required (Fire Sprinklers/Private Hydrant) (check one) ☒ Yes ☐ No

 Minimum Type of Protection Required (check one) ☐ Single Check Detector Assembly

☐ Double Check Detector Assembly ☒ Reduced Pressure Principle Detector Assembly

 Los Angeles County Waterworks Districts
 Water Purveyor

Date

2/24/2015

Signature

 Associate Civil Engineer
 Title

This Information is Considered Valid for Twelve Months

Fire Department approval of building plans shall be required prior to the issuance of a Building Permit by the jurisdictional Building Department. Any deficiencies in water systems will need to be resolved by the Fire Prevention Division only prior to this department's approval of building plans.